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| 09/648,474 | 08/21/2000 | Brian Mark Shuster | 70111.00009 | 5826 |
| 58688 7590 06/20/2008 CONNOLLY BOVE LODGE & HUTZ LLP P.O. BOX 2207 WILMINGTON, DE 19899 | | | | |
| EXAMINER NGUYEN, DUSTIN | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte BRIAN M. SHUSTER and GARY S. SHUSTER

Appeal No. 2007-3031
Application No. 09/648,474
Technology Center 2100

Mailed: June 20, 2008

Before DALE M. SHAW, *Chief Appeals Administrator*.
SHAW, *Chief Appeals Administrator*.

DECISION ON PETITION

This is a decision on the Petition Under 37 C.F.R. § 1.182 to Correct Record of Oral Hearing, filed March 12, 2008 (“Petition”). The Petition will be treated as a petition to the Chief Administrative Patent Judge under 37 C.F.R. § 41.3(b).

FINDINGS

1. On January 17, 2008, an oral hearing was held in this appeal (“Oral Hearing”).
2. On February 25, 2008, the Board of Patent Appeals and Interferences (“Board”) issued a Decision on Appeal reversing the Examiner’s rejection of

the appealed claims and entering a new ground of rejection of the sole independent claim on appeal.

3. The Petition identifies several alleged errors that were made in the transcription of the record of the Oral Hearing and requests that such errors be corrected.

4. The USPTO Rules of Practice do not include any provision for correcting the transcripts of oral hearings in appeals.

DISCUSSION

In the absence of a relevant rule, the Board does not make formal corrections to oral hearing transcripts in appeals. However, Appellants' Petition is part of the formal record of this application.

DECISION

In view of the foregoing, the Petition is DENIED.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797

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